

LABEL, IN PART: "J. F. Garvey Peanola P. B. Made Especially For National Biscuit Co.," "Mrs. Kellogg's Institution Style Peach [or "Strawberry" or "Pinecot"] Preserves," "Glendale Brand Institution Style Pinecot Preserves," "Western Brand Institution Style Strawberry Preserves," "Garvey's Red Raspberry Jam," "Institution Style Apricot Jam," or "Clover Farm Brand * * * Pinecot Preserves."

NATURE OF CHARGE: Peanut butter. Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, and insect fragments.

Preserves. Misbranding, Section 403 (g) (1), the products purported to be and were represented as peach preserves, strawberry preserves, pineapple-apricot preserves, red raspberry jam, and apricot jam, foods for which definitions and standards have been prescribed by regulations, and these foods failed to conform to their respective standards since they contained less than 45 parts by weight of the various fruit ingredients to each 55 parts by weight of the optional saccharine ingredient, and the strawberry preserves contained artificial color, which is not a permitted optional ingredient.

DISPOSITION: June 2, 1952. Pleas of nolo contendere having been entered, the corporation was fined \$260 and the individual defendant \$65.

OILS AND FATS

19044. Adulteration and misbranding of table and cooking oil. U. S. v. 36 Cans
* * *. (F. D. C. No. 33127. Sample No. 33219-L.)

LABEL FILED: May 9, 1952, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about March 12, 1951, by the V. Formusa Co., from Chicago, Ill.

PRODUCT: 36 1-gallon cans of table and cooking oil at Detroit, Mich.

LABEL, IN PART: "One Gallon Marconi Brand Contains 75% Cottonseed Oil 20% Olive Oil 5% Peanut Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted or abstracted from the product; and, Section 402 (b) (2), a mixture of corn oil and peanut oil with little or no olive oil had been substituted for a blend of 75% cottonseed oil, 20% olive oil, and 5% peanut oil.

Misbranding, Section 403 (a), the label statement "Contains 75% Cottonseed Oil 20% Olive Oil" was false and misleading since the product contained no cottonseed oil and little, if any, olive oil.

DISPOSITION: July 8, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution.

19045. Misbranding of olive oil. U. S. v. 75 Cans * * *. (F. D. C. No. 32978. Sample Nos. 6484-L, 6599-L.)

LABEL FILED: March 24, 1952, District of Maine.

ALLEGED SHIPMENT: On or about October 5, 1951, by A. Accardi Co., Inc., from Boston, Mass.

PRODUCT: 75 cans of olive oil at Portland, Maine.

LABEL, IN PART: "One Full Gallon Pure Imported Olive Oil."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled amount.

DISPOSITION: April 15, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the goods be released under bond to be relabeled or otherwise brought into compliance with the law, under the supervision of the Food and Drug Administration.

SPICES, FLAVORS, AND SEASONING MATERIALS

19046. Adulteration and misbranding of black pepper. U. S. v. 141 Cans * * * (F. D. C. No. 32615. Sample No. 15165-L.)

LIBEL FILED: January 25, 1952, District of Nebraska.

ALLEGED SHIPMENT: On or about November 9, 1951, by the Arrow Spice & Food Co., from Dallas, Tex.

PRODUCT: 141 1-pound cans of black pepper at Lincoln, Nebr.

LABEL, IN PART: "Arrow Brand * * * Pure Ground Black Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of black pepper, cottonseed hulls, salt, and capsicum had been substituted in whole or in part for pure black pepper; and, Section 402 (b) (4), cottonseed hulls, salt, and capsicum had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (a), the label designation "Pure * * * Black Pepper" was false and misleading.

DISPOSITION: May 23, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution.

19047. Adulteration of imitation pepper. U. S. v. 2½ Cases, etc. (F. D. C. No. 32494. Sample Nos. 29351-L to 29353-L, incl., 29355-L.)

LIBEL FILED: On or about February 21, 1952, Western District of Washington.

ALLEGED SHIPMENT: Between the approximate dates of May 4 and August 10, 1951, by R. C. Pauli & Sons, from San Francisco, Calif.

PRODUCT: Imitation pepper. 2½ cases, each containing 24 16-ounce tubes; 1 case, containing 6 5-pound tubes; 1 barrel, containing approximately 88 pounds and 6 tubes, each tube containing 2 pounds; and 42 5-pound tubes, at Seattle, Wash.

LABEL, IN PART: (Portion) "Imitation Black Pepper" or "Tropic Brand * * * Imitation Black [or "White"] Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: May 7, 1952. Default decree of condemnation and destruction.

19048. Adulteration of red chili pods. U. S. v. 66 Pounds * * * (and 1 other seizure action). (F. D. C. Nos. 33091, 33092. Sample Nos. 14189-L, 14190-L.)